

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In Re:

**Case Number: 22-12912
Chapter: 13**

Joel Contreras,

Debtor(s).

OBJECTION TO CONFIRMATION OF PLAN

COMES NOW Specialized Loan Servicing, LLC as servicing agent for Citigroup Mortgage Loan Trust Inc., Asset-Backed Pass-Through Certificates, Series 2007-AMC1, U.S. Bank National Association, as Trustee ("Secured Creditor"), by its attorneys, Bonial & Associates, P.C., and pursuant to Rule 3015 of the Federal Rules of Bankruptcy Procedure respectfully sets forth its *Objection to Confirmation of Plan* as follows:

1. On November 06, 2022, the Debtor(s) filed a voluntary petition for relief under Chapter 13 of the Bankruptcy Code as captioned above.
2. This Court has jurisdiction over this matter pursuant to 28 U.S.C. Sections 1334 and 157 and 11 U.S.C. Sections 1322 and 1325.
3. Debtor(s) are indebted to Secured Creditor on a loan secured by and encumbering certain real property commonly known as 3137 S 54Th Ct, Cicero, Illinois 60804 ("Property"). Said loan is evidenced by a Promissory Note, Mortgage, and Assignment(s) and loan modification, as may be applicable.
4. Pursuant to the terms of the Note and Mortgage, the Debtor(s) are required to tender payments to Secured Creditor. The loan number of Secured Creditor ends in xxxxxx5304.

5. Debtor(s) filed a proposed Chapter 13 Plan or amended plan on 11/08/2022 in this case ("Plan").

6. The Plan is objectionable and does not comply with 11 U.S.C. §1325 for the following reasons:

- A. Pre-Petition arrearages are understated in the Plan at \$69,000.00. Secured Creditor estimates that the pre-petition arrearages which will be included in its Proof of Claim when filed will be \$78,246.99.
- B. The plan may be underfunded and lacking feasibility in light of the variance in estimated arrearages.
- C. Section 3.1 of the Plan checks the box for "none" and also misstates the identity of Secured Creditor which should be corrected.

7. The Plan does not adequately protect Secured Creditor for the foregoing reasons and confirmation should be denied.

WHEREFORE, Secured Creditor prays that confirmation of Debtor's Chapter 13 Plan be denied, together with such other relief as this Court deems just and proper.

Dated: November 22, 2022

BONIAL & ASSOCIATES, P.C.

/s/ Wesley T. Kozeny
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon the following parties in interest via the Court's CM/ECF electronic notification system, or pre-paid regular U.S. Mail if indicated below on November 22, 2022:

Debtor *Via U.S. Mail*

Joel Contreras
3137 S. 54Th Ct.
Cicero, IL 60804

Debtor's Attorney

David Freydin
Law Offices Of David Freydin Ltd
8707 Skokie Blvd Suite 312
Skokie, IL 60077

Chapter 13 Trustee

Marilyn O. Marshall
224 South Michigan Ste 800
Chicago, Illinois 60604

US Trustee

Office of the U.S.Trustee
219 S. Dearborn St., Room 873
Chicago, Illinois 60604

Respectfully Submitted,

/s/ Wesley T. Kozeny
Wesley T. Kozeny